

Representatives Fox, Ritter, Rebimbas. Senators Coleman, Doyle and Kissel and members of the Judiciary Committee. Thank you for the opportunity to testify in favor of H.B. 6570 An Act Concerning Voyeurism. For the record I am the State Representative for the 9<sup>th</sup> District. My apologies for not being in attendance today. I have previously scheduled business outside of the LOB that I could not change. I am submitting testimony but would like to defer my time to a constituent, Kim Smith, who can explain the motivation for the bill.

She and her children were the victims of two summers while bathing in a public bathhouse at one of our state beaches. Two state employees were watching my constituent and her two young daughters bathe through holes in a wall of the bathhouse. The two men were arrested that day and were charged with Breach of Peace 2<sup>nd</sup> Degree. After speaking with a Prosecutor the charges of 3<sup>rd</sup> Degree Burglary and Risk of Injury to a Minor were added.

-Breach of Peace 2<sup>nd</sup> degree is a class B misdemeanor, punishable by up to six months in prison, up to a \$1,000 fine, or both.

-Burglary 3<sup>rd</sup> degree is a class D felony, punishable by one to five years in prison, up to a \$5,000 fine, or both.

-Risk of Injury is a class C felony, punishable by one to 10 years in prison, up to a \$10,000 fine, or both.

Both my constituent and the police felt that the accused should have been charged with a more serious charge given the brazenness of the act and because minors were involved. Voyeurism could not be charged because under current law voyeurism requires someone to knowingly photograph, film, videotape, or otherwise records another person's image without that person's knowledge. This offense is a class D felony punishable by a prison term of up to five years, a fine of up to \$5,000, or both.

The proposed legislation broadens the scope of Voyeurism:

1. Beyond actively photographing, filming, videotaping or otherwise recording the image of another person
2. Extends the crime of voyeurism to voyeurism committed pursuant to trespass
3. Establishes a heightened penalty for voyeurism when committed against a child under sixteen years of age-proposed to become a class C felony punishable by a prison term of up to 10 years, a fine of up to \$10,000, or both
4. require offenders to register as sexual offenders with the Commissioner of Emergency Services and Public Protection

The proposed bill calls for more appropriate and stronger penalties for these violations during a time of what it seems like are increased incident like this. My constituent prefers that the law apply to all persons but the law's application to minors under 16 is a good beginning. Thank you again for the opportunity to testify and I would be happy to answer any questions.